

**FEDERAL LABOR RELATIONS AUTHORITY
OFFICE OF THE GENERAL COUNSEL**

**REPRESENTATION
CASE LAW GUIDE**

Foreword

The Representation Case Law Guide (RCL) presents a variety of substantive topics that are relevant to employees of the Office of the General Counsel (OGC) who are required to process representation petitions and unfair labor practice cases that raise representation issues. The RCL defines each topic, discusses relevant case law and sets forth an analytical framework for deciding each case consistently and properly.

Originally, the Hearing Officer's Guide (HOG) included a short description of case law citations to assist the Hearing Officer and the parties prepare for a hearing and develop a complete record. Topics, including an outline of issues and questions remain in the second part of the HOG. For example, Representation Outline I in HOG 37 is an excellent resource of information required in cases involving Appropriate Unit questions. The genesis of this outline is explained fully in the RCL. The OGC developed the RCL after the Authority issued several significant cases as a substantive resource for OGC employees to improve the quality of representation case handling.

The RCL has been prepared by the Office of the General Counsel of the Federal Labor Relations Authority (the Authority) pursuant to Section 7104(f) of the Federal Service Labor-Management Relations Statute (the Statute). It is published in a handbook style format to make it easier for the staff and the parties to use. The Regions continue to be proactive in assisting the parties in resolving representation issues consistent with their interests and with the requirements of the Statute. Since party understanding of the representation process and regulatory requirements is critical to the timely and effective processing of representation petitions, the RCL is being made available by the General Counsel to all parties and individuals who are involved in filing and processing representation petitions.

The RCL provides substantive guidance for the General Counsel's staff when processing representation cases filed under the Statute. The RCL is not intended to be a condensed version of all substantive law, nor is it intended to be a substitute for knowledge of the law. The RCL is not a ruling, directive, nor is it binding upon the General Counsel or the Authority. Although the staff uses the RCL when processing cases, it does not encompass all situations that may be encountered in processing representation petitions. Thus, responsible, professional judgment and experience are required in applying and utilizing these guidelines.

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